

Tuesday, March 2, 2004

Present: Commissioner President Thomas F. McKay
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George G. Forrest, County Administrator
Kate Mauck, Senior Administrative Coordinator (Recorder)

Absent: Commissioner Kenneth R. Dement

CALL TO ORDER

The meeting was called to order at 9:08 a.m.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize Commissioner President McKay to sign the Check Register. Motion carried.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Friday, February 20, 2004. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, February 24, 2004. Motion carried.

PROCLAMATIONS

The following proclamations were presented, with representatives from each organization being recognized, by the Board of County Commissioners:

- American Red Cross Month
- Girl Scout Week – March 7 through 13, 2004

- Colorectal Cancer Awareness Month – *Staff was directed to include on cable Channel 12 a video presentation on colorectal cancer that will be provided by the Health Department.*

SOSAR BLACK TIE FUNDRAISER

Present: Cynthia Brown, Director, Office of Community Services
Joseph Donick, Prevention Coordinator

Commissioners were presented with an invitation to the 4th Annual Support the Children Black Tie Ball which is sponsored by the Office of Community Services Alliance for Alcohol and Drug Abuse Prevention, Seaside Seagulls, and the Knights of St. Jerome. The event will be held on Saturday, March 27, 2004, at the Immaculate Heart of Mary Hall in Lexington Park. Proceeds from the event support the County-wide Summer of Safety, Arts and Reading (SOSAR) Program, youth groups, cultural activities and other events for young people.

PUBLIC HEARING: SUPPLEMENTAL APPROPRIATION REGARDING DONATION RECEIVED FROM FRIENDS OF ST. CLEMENT'S ISLAND AND PINEY POINT MUSEUMS

Present: Phil Rollins, Director of Recreation and Parks
Elaine Kramer, Director of Finance

A public hearing was conducted regarding supplemental appropriation in the form of a \$10,829 donation received from the Friends of St. Clement's Island and Piney Point Museums. The donation was given in order to assist in the expansion of the metal building on the former Steuart property for the relocation of the wooden boat collection from the Harry Lundenberg School of Seamanship to the Piney Point Lighthouse Museum.

Commissioner President McKay opened the public hearing for public comment with the following individual speaking:

Sheila Gibbons-Tibbert, President, Friends of the St. Clement's Island and Piney Point Museums – expressed unanimous support of the organizations' Board of Directors for this project.

The public hearing was closed for public comment, with the record remaining open for 10 days in order to accept written public comment. The matter will go before the Board of County Commissioners on or after March 16th for a final decision.

CHESAPEAKE BAY BLUE HERON PROJECT

Present: Lynne Morgan, Supervisor of Instruction, St. Mary's County Public Schools
Carol Wathen, Resident Artist

Mary Ida Rolape, Resident Artist

Ms. Morgan, along with resident artists, presented an overview of the Chesapeake Bay Blue Heron Project. The project is a partnership between St. Mary's County Public Schools, the arts community, area businesses, and other interested individuals. A miniature version of one of the 27 blue heron statues was unveiled, and each of the Commissioners was presented with an 8 x 10 print of the Blue Heron. In addition, a video tape recording of the history and purpose of the project was presented.

COUNTY ADMINISTRATOR

1. Draft Agendas for March 9 and March 16, 2004

2. **Recreation and Parks**

Present: Phil Rollins, Director
Bill Ball, Parks Manager

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Department of Natural Resources Waterway Improvement Fund Application and related Budget Amendment. Motion carried.

Commissioner Mattingly requested that Mr. Rollins provide information regarding the status on the repairs of piers by the State at St. Clements Island.

3. **Department of Public Works and Transportation**

Present: George Erichsen, Director

a. Public Works Agreement for Pembroke Subdivision, Section 1, located in the 8th Election District with an expiration date of March 1, 2005. A letter of credit has provided by the Bank of Southern Maryland in the amount of \$1,081,500. The roads included in this agreement are: Colby Drive (2,778'), Tenby Drive (1,558'), Ramsey Drive (789'), Pershing Drive (1,203'), Carmarthen Drive (687'), Hampshire Place (245'), and Newport Drive (290').

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Public Works Agreement for Pembroke Subdivision, Section 1 and the Letter of Credit. Motion carried.

b. Grant Agreement and Budget Amendments for Maryland Comprehensive Transit Plan.

Also Present: George Jarboe, Transportation Manager

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign Grant Agreement and related Budget Amendments for Maryland Comprehensive Transit Plan. Motion carried.

4. Department of Land Use and Growth Management

Present: Denis Canavan, Director
John Norris III, County Attorney

- a. Zoning Board of Appeals Rules of Procedure – Review and Request for Approval.

Commissioners were presented with an amended request for the Board of Zoning Appeals Rules of Procedure. The following two revisions were requested:

- Replacement of references to the Department of Planning & Zoning with references to
The Department of Land Use and Growth Management; and
- Amendment of Article XIV, to clarify that the burden is upon the applicant to demonstrate
that the request is in conformity with the variance requirements of the Comprehensive
Zoning Ordinance.

Mr. Canavan was directed to report back to the Commissioners in six months regarding whether or not any complaints have been received by citizens regarding changes to the Rules of Procedure.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Board of Appeals Rules of Procedure. Motion carried.

- b. Transfer of Development Rights

Also Present: Phil Shire, Planner
Joseph Densford, Attorney

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign transfer of two

development rights, with amendment to Exhibit A, to the Board of County Commissioners. Motion carried.

5. Department of Economic and Community Development

Present: John Savich, Director
Donna Sasscer, Agriculture Manager

a. **Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Release Agreement of St. Mary's County Agriculture Land Preservation Program with Ms. Mary Louise Barber. Motion carried.**

b. **Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President to sign Release Agreement of St. Mary's County Agriculture Land Preservation Program with Mr. and Mrs. Herbert and Christina Yee. Motion carried.**

COMMISSIONERS' TIME

Commissioner Mattingly

Commissioners attended the Rural Legacy presentation in Annapolis, which was very successful. Hard work by staff as well as those at the State level helped to make 1100 acres along the Patuxent River to be put into the Rural Legacy Program.

Congratulations to the Delegation for the reception in Annapolis – they had a great turnout from Southern Maryland and St. Mary's County was well represented there.

The Chamber of Commerce breakfast was a good event with a good response.

Responded to remarks in the newspaper – does not follow Congressman Hoyer's instructions and pointed out that he has a vested interest in this Board and does not wish it to fail. Did not run for President of the Board of County Commissioners and has no desire to be President.

Commissioner Jarboe

It was a pleasure to attend the Seventh District Optimist's Club dinner at the Mechanicsville Fire Department social hall, which was well attended, with over 1,200 dinners having been served. Susan Kinzie, writer for *The Washington Post*, spent the

entire day at the event – it was nice to see her get involved and find out more about the County.

Commissioner Raley

Reported that there was a recent news release that a special education teacher at Spring Ridge Middle School, Mrs. Anne Smoot, was this year's recipient of *The Washington Post* 2004 Agnes Meyer Outstanding Teacher Award. She and her husband, both teachers at Spring Ridge, are good people, hardworking, and are good examples of people who give something back to the community.

Commissioners received a notice that the Lexington Park Rescue Squad has paid off \$60,000 that was borrowed from the Revolving Fire and Rescue Loan. This is a good example of that loan working. Congratulations were expressed, and the money was used to purchase an ambulance.

Citizens were urged to vote today – there are a lot of good men and women who sacrificed a lot so that we have the right to vote.

Commissioner President McKay

Attended, along with Commissioner Dement and his wife, the Sheriff, deputies, and members of Calvert and Charles County Sheriff's Department, a raid on four homes in Lexington Park on Friday night. Numerous arrests were made, and much in the way of drugs and drug paraphernalia were confiscated. Excellent collaborative effort between all three counties and officers who organized and carried out this well-planned event. They are all to be commended.

Reminded the public that Commissioners would be back in Room 14 and on Cable Channel 12 at approximately 8:15 p.m. tonight to provide live Election Night Coverage.

Announced that Commissioners would be departing at the end of the meeting for the Habitat for Humanity groundbreaking event. A home will be provided for a well-deserving family in St. Mary's County.

Stated that the Board conducts business professionally, and while a vote is not always agreed upon, it is important to be gentlemen and move onto the next issue, without criticism of one another in the press. Criticism because of the vote of individuals is not appropriate and the integrity of the Board needs to be maintained. Executive Session privilege has been broken twice now, and this is very disturbing. Personal feelings on issues need to stay at the table. Expressed appreciation to the Commissioners for their continued cooperation.

The meeting was adjourned at 11:37 a.m. The Board of County Commissioners departed in order to attend the Patuxent Habitat for Humanity Groundbreaking Ceremonies on Wainwright Court in the San Souci Subdivision.

Minutes Approved by the
Board of County Commissioners on _____

Kate Mauck, Senior Administrative Coordinator
to the Board of County Commissioners